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PURE NON-ALCOHOLIC
APPLE JUICE
Invaluable for Stomach and
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For doz. quarts... \$7.25
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Hongkong Daily Press.

ESTABLISHED 1857.

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The only Reliable Brand is
MARTINI ROSSI
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No. 14,450 號十伍百肆千肆萬壹第 日陸十月陸年十叁緒光 HONGKONG, THURSDAY, JULY 28th, 1904. 四拜禮 號捌拾貳月柒年肆零百九仟壹英港香 PRICE, \$3 PER MONTH.

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IS A FIRST-RATE PREPARATION.
IT AT ONCE RELIEVES THE SKIN
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Price \$11.00 PER DOZEN

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Blend
Selected
Distillations of the
Finest Scotch Whiskies

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We are Sole Agents for the following—
MONOPOL, FUTURE, CENTAUR, and
NEW PREMIER CYCLES. Best American
Machines in the Market, always on View and
for Sale. Also a large Assortment of SECOND-
HAND MACHINES of various makes,
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MOTOR CYCLES, MAIL CARTS,
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all branches of the business. Re-ensembling a
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60a

GREEN ISLAND CEMENT COMPANY

PORTLAND CEMENT.

Casks of 37½ lbs. net \$4.75 per Cask ex Factory.
Bags of 250 lbs. net \$2.85 per bag ex Factory.
SHEWAN, TOMES & CO.,
General Managers.
Hongkong, 14th August, 1903. [a1451]

THE AMERICAN SYSTEM OF DENTISTRY

DR. M. H. CHAUN.
37, DES VŒUX ROAD CENTRAL, HONGKONG
From the University of Pennsylvania, U.S.A.
Hongkong, 3rd June, 1904 [a14]

SIEN TING.

SURGEON DENTIST.
No. 10, L'AGUILAR STREET.
TERMS VERY MODERATE.
Consultation Free.
Hongkong, 21st March, 1903. 3

A. LING & CO.,
FURNITURE STORE.
PLATED GLASS AND CROCKERY
WARE, &c., &c., and FOCHOH
LACQUERED WARE.
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Hongkong, 21st September, 1903.

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HAS been re-opened under European
management and most strict supervision
as to food, cleanliness, and hygiene of the place.
All comforts of a home.
A most pleasant retreat for those desiring of
a few days rest and quiet.
Comfortable accommodation for travellers
paying a visit to the historical and picturesque
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Macao is 40 miles south-west of Hongkong.
One steamer (s.s. *Hengghen*), daily to and
from Hongkong, and two steamers to and from
Canton, give easy communication with both
these centres.
Cable Address—"BOAVISTA."
For Terms, apply to
THE MANAGER.
[a224]

CARLTON HOUSE.

10, ICE HOUSE ROAD.

FIRST-CLASS PRIVATE HOTEL.
Cool Rooms, Elaborately Furnished. Com-
fort of Residents and the Cuisine a specialty.
For terms apply—
B. F. HOWARD,
Lessee and Manager.
Hongkong, 2nd July, 1904. [1621]

PO CHEUNG & CO.

昌發

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FURNISHERS AND UPHOLSTERERS.
GENERAL DOMESTIC GOODS, &c., &c.
CHAIRS, GLASSWARE AND CROCKERY HIRED OUT AT
A MOMENT'S NOTICE.

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GOOD WORK, PROMPT RETURN.

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Hongkong, 21st December, 1903. [a38]



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AQUARIUS SPARKLING MINERAL TABLE WATER
(made from Pure Table Distilled Water).
AQUARIUS TONIC WATER.
AQUARIUS BELFAST GINGER ALE.
AQUARIUS LEMONADE.
AQUARIUS LITHIA WATER.
AQUARIUS GINGER BEER (Stone Bottles).

THE AQUARIUS COMPANY,
GENERAL MANAGERS,

CALDBECK, MACGREGOR & CO.

15, QUEEN'S ROAD.

Hongkong, 15th July, 1904. [a35]

CUTLER, PALMER & CO.

ESTABLISHED IN LONDON IN 1815.

SHIPPERS TO CHINA FOR 75 YEARS.

Their Brands are favourably known all over the World.

The following are some of their Stocks with the undersigned—

SUPERB OLD COGNAC,
\$23.50 PER DOZ.

Distinguished by Four Stars on the label.

O.P. & Co.'s INVALIDS' PORT
\$21 PER DOZ.

This Fine Wine is cold, soft, and of grand flavour.
See analysis and certificate by Professor Cassell.

ANOTHER FINE COGNAC, \$18.50 per doz.

Less old than the above.

IMPERIAL BRANDY
\$12.00 PER CASE.

THE ELITE OF WHISKY—
THE "PAIL MAIL,"
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11 Years old: the finest quality shipped.

Each bottle bears an Analyst's certificate.

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Very soft, palatable, and mature.

EVERYBODY SHOULD TRY THESE ITEMS

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A fine, full, and fruity wine.

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A natural and most pleasant wine to the taste

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\$41.75 PER DOZ. QUARTS.

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THEY ARE UNEQUALLED AT THE PRICE

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CONSULTING ENGINEERS AND NAVAL ARCHITECTS.

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A large stock of CANALIAN ASPESTOS and ASPESTOS Goods kept.

Agents for Messrs. ALLEN & SONS ELECTRICAL PLANT and CENTRIFUGAL PUMPS.

Telegram Address "MARINEWORK."

Telephone No. 358.

Hongkong, 1st May, 1904. [a153]

LANE, CRAWFORD & CO.

ARE NOW SHOWING

LADIES' WHITE UNDER SKIRTS.

LATEST SHAPES, NEW DESIGNS.

LADIES' RAINCOATS.

NEWEST MATERIALS, SMARTEST STYLES.

Hongkong, 8th July, 1904. [a34]

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Hongkong, 29th April, 1904. [a33]

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STONE GINGER-BEER.

YCLEPT "POP."

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CHEMISTS, AERATED WATER MANUFACTURERS,
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At CANTON, SHANGHAI, HANKOW and PEKING. [a37]

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HONGKONG HOTEL

A FIRST-CLASS HOTEL IN EVERY RESPECT

Elegantly Furnished Reading, Drawing

Music, Ping-pong and Smoking Rooms.

Private Bar and Two Billiard Rooms for

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Dining Accommodation for 300 persons.

Private and Special Dining Rooms.

European Chef and Indian Curry Cook.

Ladies' Afternoon Tea Rooms with European

Matron in attendance.

Ladies' Cloak Room.

Hydraulic Elevators to each floor.

Bedroom Accommodation—131 rooms.

Electric Lighting throughout. Electric Fans

in Rooms, if required.

Hot and Cold Water throughout.

Wines and Groceries specially imported by

the Hotel Co.

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Fire Extinguishing Mains and Emergency

Exits on every floor.

MODERATE CHARGES! (NO EXTRAS!)

H. HAYNES,

Manager.

[a48]

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PEAK HOTEL.

Admirably Situated. Sheltered from the

North-East Monsoon and Open to the South

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A COVERED GANGWAY LEADS

FROM THE TRAMWAY TERMINUS

INTO THE HOTEL.

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KING EDWARD HOTEL.

A HIGH CLASS PRIVATE HOTEL.

Ladies' Afternoon Tea-Rooms.

Private Bar and Billiard-Rooms.

Hot and Cold Water throughout.

Electrically Lighted. Electric Fans (if

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Electric Passenger Elevator to each floor.

Table D'Hôte at separate tables.

For Terms, &c., apply to the—

MANAGER.

Hongkong, 10th June 1903. [a1802]

CONNAUGHT HOUSE.

A FIRST CLASS HOTEL Situated near

the Banks and Principal Offices.

Excellent Cuisine and Wines.

Large and lofty Rooms, elegantly furnished

Hydraulic Elevator, hot and cold water

throughout.

Special Rates for Tourists.

Launch Service for Guests.

For Terms, apply to the

MANAGER.

Hongkong, 31st October, 1902. [a149]

MACAO

AND

CANTON

HOTELS.

A LITTLE CHANGE.

THE Round Trip from HONGKONG

to MACAO, thence to CANTON and back to

Hongkong, will be found interesting and

enjoyable.

WM. FARMER,

Proprietor.

[1362]

INTIMATION



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ESTABLISHED A.D. 1841.

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OFAERATED
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IN THE FAR EAST.

The Manufacture of our AERATED
WATERS is conducted under constant
European expert supervision.

THE MACHINERY in use embodies every
improvement up to date.

The most perfect scientific system of filtration
employed.

By which means we have attained

PERFECTION OF QUALITY

AND

ABSOLUTE PURITY.

OUR WATERS being acknowledged by the
leading English Manufacturers as equal to their
best productions.

A. S. WATSON & CO.
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THE HONGKONG DISPENSARY.

[31]

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should be addressed to THE EDITOR.
Correspondents must forward their names and ad-
dresses with communications addressed to the Editor,
and for publication, but as evidence of good faith.
All letters for publication should be written on
one side of the paper only.

No anonymously signed communications that have
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Lieber's

P.O. Box, 33. Telephone No. 12

DEATH.

On the 27th July, at his residence, Kowloon,
Mr. JAMES HENRY COX, aged 72 years. (1833)

The Daily Press.

HONGKONG OFFICE: 14, DES VOUX ROAD CL.
LONDON OFFICE: 131, FLEET STREET, E.C.

HONGKONG, 28th JULY, 1904.

There does not appear to be a prima-
facie connection between international law
and the custom of wearing mourning clothes;
but some impatient comments that have
recently appeared with regard to the first,
and a new story recently told with reference
to the second, appear to suggest an associa-
tion almost intimate. The comments referred
to partook of the nature of doubting
allusions to the usefulness of international
law, as having back of it neither an interna-
tional law court nor an international police
force to enforce its decrees. The story was
of a woman in service who asked for a brief
holiday, and an advance of money with
which to "buy blacks," as her husband was
dead. Her mistress kindly suggested that
it would be waste of money. Had not the
man ill-treated her and neglected her so
that she had had to return to service?
Was it possible that there could be any
genuine regret for him? When did he
die? "Oh! mum," the poor woman naively
admitted, "he died nine months ago in jail,
but I've just heard of it. I must go into
blacks. It isn't respectable not to." With
no more preamble, we may proceed, in
medias res, to demonstrate the essential con-
sanguinity of these two apparently incon-
gruous matters, and thereby, possibly, point
a moral. For while we have in these
columns casually mentioned international
law as a thing not yet perfectly developed,
we have carefully refrained from alluding to
it with the slightest tincture of disrespect.
To it we look, and to it only, for help to-
wards that brotherhood of man that the
anti-war people prate of. They view the
abolition of war as the necessary antecedent

to universal fraternity, and so, to many
practical minds, they seem as dreamers. In
a held paradox, it seems to us, is truth and
hope to be looked for; and it is this—that
the real federation of mankind is impossible
without the sword. Some days ago we
mentioned international law as an evolu-
tional product of the crude primal laws that
must have antedated the Decalogue by
millions of years, and it is obvious that it
must have had such small beginnings. The
original object of all legislation, whether a
simple law upheld by a sheik, or a complica-
ted system maintained by a nation, was, it
must not be forgotten, the attainment of
the greatest good of the greatest number.
Law has ever been, and is now, primarily
the protector of the social aggregate. Pri-
marily, because it will at once occur
to the reader that the modern law of
civilization pays careful attention to the
rights of the individual, protecting the
weak against the strong, and, not infre-
quently, the minority against the majority.
Its vital principle, however, is the com-
munal well-being. It has been pointed out
by some philosophers as one of necessity's
inventions, and the idea has occurred in
many minds, no doubt, that in the earliest
communities to frame a code of conduct
there must have been a sort of referendum,
followed by the consent either of all or of a
big majority. A relation of ANDREW LANG'S
has pictured for us the primal law as the
arbitrary rulings of the fathers of the first
families, small nomad bands, in which the
strongest male made himself "a judge over
Israel," and drove out of the circle the
younger males who might show signs of
disputing his authority. Whatever its
earliest beginnings, we have seen that law
has gathered unto itself more than a mere
collection of "thou shalt not's." It has
attracted in course of time the "thou
shalts," which make of it an ethical system.
Our concepts of right and wrong, the late
Mr. HERBERT SPENCER would have told us
are also the fruits of evolution, acquired by
generations of dwelling upon the conse-
quences of infringements of the law. The
forces of heredity deepened and confirmed
the idea that certain actions inimical to
the social organism were wrong, with the
corollary that their opposites were right,
until presently were men and women who
did the right thing by instinct, or conscience,
and refrained from doing the wrong in the
same easy way, without having to stop to
count the cost. Unfortunately, while such
acquired instincts were being multiplied
and developed, there was always that weak
link in the chain that Mr. DARWIN had to
reckon with, atavism. There was never a
generation without some members in it who
had harked back to the primitive instincts
and impulses that were lawless because
existant prior to law. Otherwise, with the
moral instinct uniformly evolving, law as
we know it would in time have disappeared
with the disappearance of its necessity.
For such "throws back," law is still re-
quired, and since such ethical "sports"
are unable to appreciate the mere inhibi-
tions of law as binding upon themselves,
the arm of the law, which is force, compul-
sion, must perforce be still held up. The
poor woman who felt she must wear mourn-
ing for a worthless and unloved husband
was a subject of that transmitted subjec-
tive adaptation of the moral judgment to
which we have referred, which we now call
conscience. She did not belong to that
order which is fain to regard all public
opinion as Philistinism, and which, in
setting up its own standards, frequently
only betrays its atavistic tendency toward
cruelty to law. Were all of her cerebral
capacity, the brotherhood of man would not
be far off, and the principles of humanity
would exercise a more effectual control over
the actions of human-kind. In spite of a
TSAR with an eye to the happiness of the
majority, Russia seems to be, administra-
tively, a nation not so amenable to the
demands of conscience. What seems to be
wanted, for such cases as hers, is another
Hague Conference, with somewhat different
ideals and objectives, or, at any rate, with a
more commonsense programme of methods.
English liberty was the direct outcome of
baronial coercion at Runnymede. A Magna
Charta of the nations is wanted. The
KING JOHN-like reluctance of some govern-
ments to sign the arbitration scheme of the
TSAR was quite excusable. It was not
practical politics. Behind arbitration, until
that instinct of right and wrong is
universally developed, must always be war,
as behind the judge and jury there must
stand the police. With an alliance of all
the nations, pledged to punish any default-
ing Power, there would be greater certainty
of international law being a living force.
The mere reflection that certain things
"ain't respectable" does not seem a suffi-
cient restraint upon some diplomats.

There have been five fatal plague cases in the
last two days.

Sir John Anderson is engaged in making his
first official tour throughout the Straits and
States.

A Japanese merchant has bought the wreck
of the *Koretsu*, the Russian gunboat blown up
in Chemulpo harbour.

The German Mail of the 23rd June was
delivered in London on the 23rd inst.

American papers say that General Cronje,
aged nearly seventy, has been married at St.
Louis.

The foreign passengers of the captured
steamer *Heiping* left Nagasaki for Shanghai on
the 19th instant.

The output of coal at the Kyushu collieries
for the first six months of the present year was
47,927,600 piculs.

The "grand Panopticon" in Des Vaux
Road is not open in the mornings. The time
to see the exhibition is from six to eleven p.m.

The Japanese authorities have sanctioned
appeals to the public for contributions of tobacco,
literature, &c. for the Russian prisoners in
Japan.

The City Hall Lending Library will be
closed on Friday for repairs, and remain closed
for a week. No books can be taken out after
9 p.m. to-morrow (Thursday).

The *Japan Times* reports that a Japanese
teacher in Vladivostok, named Maida,
arrived in St. Petersburg and applied for
naturalisation papers. He is the Nippon
equivalent of a "little Englander," and thinks
his country has been "led away by the ideal of
territorial expansion."

The Great Northern Telegraph Company's
Amoy-Shanghai cable is interrupted for repairs,
and some delay is to be expected therefore in
the service of telegrams to and from Shanghai
and the North. The whole of the traffic is
being transmitted over the Eastern Extension
Company's cable.

The Merchant Service Guild's flag was not
condemned because of its likeness to the naval
"Jack." It appears that it has to be of certain
dimensions—7 by 5 feet, diamond 6 by 4—and
that in the Singapore case these dimensions were
exceeded. The flag, with its "M.S.G." in
diamond as before, is declared legal by the
Board of Trade.

By kind permission of Lieut.-Col. Immoeger
and officers, the Band of the 33rd Burma Infan-
try will play the following programme at the
Kowloon Hotel, during dinner, this evening
(weather permitting):—
March, "The Star of Bobbie Burns" Ord Home
Entr'acte, "A Letter to Marion" Gillet
Selection "Les Cloches de Corneville" Planquette
Coronet Solo "I'll Sing Thee Songs of Araby" City
Selection, "Floradora" Leslie Stuart
Valse, "A Greek Slave" Sidney Jones
Polonaise, "Hoffball" Gungl

So far, the Australian raid on the English
magazine publishers (in the ostensible behoof
of "abundant good literary talent" among
Colonials) has not produced the golden egg that
was expected. The following tells its own
story: "English Mail Examined. Poor Result!
Adelaide, Wednesday. Acting under instruc-
tions from the Controller-General of Customs,
the examination of magazines by this week's
English mail was carried out at Port Adelaide
this morning. Five officers went through
forty-eight cases, and the net result of the
overhaul was the discovery of 37lb. weight of
insects (loose sheets), which, at 3d. per lb. duty,
will realise 9s. 3d." If this were a fishing
column, or one given to frivolity, we might have
something screamingly funny to say about Sir
William Lyne and his net, and his miraculous
haul, and so forth. As it is, we hold our hand,
leaving the bare facts to sink into the soul of
the Minister of Customs and such others as it
may concern.—*The Outlook*.

Yesterday morning passed peacefully away
one of the oldest residents in this Colony, Mr.
J. H. Cox, who had been suffering for some
months from a cancerous growth in the throat,
took to his bed about three weeks ago, and had
since grown gradually weaker. He died at his
residence, Kowloon, at 7.30 a.m. yesterday. Mr.
Cox was widely known and generally respected.
He came out in 1860 or 1861 to join the firm of
Messrs. Turner and Co., and after the death of
the Hon. Phineas Ryrie, managed the business of
the Hongkong branch of the firm until the death
of the surviving partner, Mr. Walkinshaw.
When the firm changed hands, Mr. Cox was
gladly accorded a room in his old office, where
he invariably turned up daily until quite recently,
his last appearance being about the end of last
month. Mr. Cox was an excellent bookkeeper,
and was at one time auditor of several public
companies. He was also a Justice of the Peace,
and took a keen interest in all local affairs,
though chiefly as an observer. He was a most
regular attendant at the Hongkong Club, of
which we believe he was the oldest resident
member, and where his face was the one perhaps
most familiar to the habitués. He was a
liberal subscriber to public charities and many
acts of private kindness can be placed to his credit.
Deceased married late in life, and leaves no
family. Mrs. Cox predeceased him in January
1901, and her loss was severely felt by him.
His funeral took place yesterday evening in
the Protestant Cemetery, Happy Valley, and
was very largely attended by the male portion
of the British community. He was buried in
the same grave with his late wife, over whom he
had erected a handsome marble monument. Mr.
Cox was in his seventy-third year.

THE WAR.

[FROM OUR OWN CORRESPONDENT.]

ANOTHER SEIZURE.

LONDON, 27th July.

The Volunteer cruiser *Smolensk*
has seized the P. & O. steamer
Formosa, eastward bound, and taken
her to Suez. There is some dissen-
sion at St. Petersburg, and the
Russian authorities are doing all they
can to evade a settlement of the
questions raised by Great Britain.

[REUTERS SERVICE.]

THE DARDANELLES.

LONDON, 25th July.

Mr. Balfour in the House of Commons
said that he did not wish to minimise the
seriousness of the question arising out of the
recent captures, which had raised a separate
question, viz. that of the Dardanelles, and
which was still giving the Government
great anxiety; signs, however, portend a
favourable issue, and it was inexpedient to
say more. The Government consider that
prizes should have the free use of the Canal
like other ships, but do not consider that
British merchantmen are required to submit
to the removal of their cargo without the
authority of a prize court.

LATER.

The Porte, in consequence of the British
protest, has informed Russia, through her
Ambassador, that no more Volunteer
cruisers will be permitted to pass the
Straits of Dardanelles.

RUSSIAN VOLUNTEER CRUISERS.

LONDON 25th July.

The *Smolensk* and the *St. Petersburg* are
cruising in the vicinity of Jeddah. The
Russian Consul at Suez is negotiating a
charter of the Khedivial yacht to convey in-
structions to the Volunteer cruisers in the
Red Sea. It is expected in St. Petersburg
that the cruisers will eventually join the
Baltic fleet and be replaced by ordinary
war-ships. The *Malacca* will be transferred
to the British Consul at Algiers.

THE ADVANCE ON LIAO.

LONDON, 25th July.

General Sakaroff reports that the Japa-
nese advance guard is advancing along the
Taite river, east of Linoyang, followed by
a strong column with thirty guns.

WAR ITEMS.

JAPANESE STRATEGY.

Some idea of the extraordinary care and
precision with which the Japanese generals
move their armies has occurred to *To-Day*.
Before crossing the Yalu, it was necessary that
General Kuroki should leave the Russians in
absolute ignorance of the force at his disposal.
Under ordinary circumstances, as the Russians
were occupying the heights on the other side
of the river, all the movements of the Japanese
forces—their arrival and concentration at Wiju
—would have been under observation. To
remedy this, all the roads and passes up which
the Japanese army had to move were carefully
screened by mats of maize-stalk, so that man
and horse could move unseen. In the elementary
simplicity of this strategy lies its real genius.
Never since Malcolm disguised the real strength
of the army he was marching against Macbeth
by making each soldier carry a branch of a tree
so that it seemed to the Scotch King that
Birmann Wood was marching on Dunsinane, has
strategy of such a kind been resorted to.
Moreover, right up to the last moment Kuroki
kept the Russian Commander in absolute igno-
rance as to his strength. All his forces were
moved at night, and in order that there should
be no sound, the bridge by which they reached
the first island in the Yalu was covered with
mattings of maize-stalk and the pontoons with
straw. In the final crossing all the approaches
to the river were screened, and almost without
a sound, thirty thousand men, with guns and
reserves of ammunition, passed over two rivers
by one narrow bridge, padded with straw,
and one pontoon, strewn with maize stalks,
between the hours of darkness and dawn. Small
wonder, as the *Standard* correspondent says in
his graphic account, that the Russians were
taken by surprise.

WEATHER REPORT.

The Hongkong Observatory yesterday issued
the following report:—
On the 27th at 11.50 a.m. The barometer
has risen sharply in the neighbourhood of Misao
Sima owing to the receding typhoon and has
fallen at all other stations.
The typhoon still moving towards the N.W.
threatens to enter the coast to the northward of
Fuchow.
Strong W. winds, backing to S.W., will be
experienced in the Formosa Channel, and
moderate S.W. winds in the northern part of
the China Sea.
Forecast:—Moderate S.W. winds, fine.

IMPORTANT JUDGMENT RE-
CHITS.

In the Civil Summary Court at Shanghai,
on 15th July, Mr. J. C. E. Douglas, Acting
Assistant Judge, in re Central Stores, Ltd., v.
W. M. Harris, gave judgment as follows:—

This is a summons taken out by the plaintiff
company against the defendant claiming the
sum of Mexican dollars ninety-four and cents
seventy, being an account due from the de-
fendant to plaintiff for refreshments supplied to
the defendant at his request. At the hearing
of this summons Mr. A. H. Campbell on behalf
of the plaintiffs stated that he held chits in
support of this claim, and that a me of them
were given for wines, cigars, spirits, and aerated
waters; that as regards these drinks they were
supplied to the defendant over the bar of the
Central Hotel, two or three drinks at a time.
He, moreover, stated that the defendant was
not staying in the hotel at the time when any
part of this debt was contracted. The de-
fendant admitted the whole claim, but the facts
before me raised the question whether the plain-
tiffs were legally entitled to a judgment
against the defendant on the whole or any part
of the claim having regard to the statutes in
force with regard to claims of this nature.

By section 12 of the Statute 24, Geo. II. c.
40, it is enacted as follows:—

"That from and after the said first day of
July one thousand seven hundred and fifty-one,
no person or persons whatsoever shall be entitled
unto or maintain any cause, action or suit for,
or recover either in law or equity, any sum or
sums of money, debt or demands whatsoever, for
or on account of any spirituous liquors, unless
such debt shall have really been and bona fide
contracted at one time, to the amount of twenty
shillings or upwards; nor shall any particular
article or item in any account or demand for
distilled spirituous liquors be allowed or main-
tained, where the liquors delivered at one time
and mentioned in such article or item, shall not
amount to the full value of twenty shillings at
the least, and that without fraud or covin; and
where no part of the liquors so sold or delivered
shall have been returned or agreed to be re-
turned directly or indirectly; and in case any retailer
of spirituous liquors, with or without a licence,
shall take or receive any pawn or pledge from
any person or persons whatsoever, by way of
security for the payment of any sum or sums of
money owing by such person or persons for such
spirituous liquors or strong waters, every such
person or persons offending herein shall forfeit
and lose the sum of forty shillings for each and
every pawn or pledge so taken in or received by
him or them, to be levied and recovered by
warrant under the hand and seal of any justice
of the peace where the offence is committed; and the person
or persons to whom any such pawn or pledge
doth or shall belong, shall have the same remedy
for recovering such pawn or the value thereof,
as if it had never been pledged."

By the Statute 25 and 26, Vict. c. 38, the
above enactment is repealed but . . . so far
only as relates to spirituous liquors sold to be
consumed elsewhere than on the premises where
sold, and delivered at the residence of the
purchaser thereof in quantities not less at one
time than a reputed quart."

By Section 182 of the County Courts Act 1888,
51 and 52, Vict. c. 43, being a re-enactment of
Section 4 of the County Courts Act 1867, 30
and 31, Vict. c. 142, it is provided as follows:—

"No action shall be brought or be maintain-
able in any county or other court to recover any
debt or sum of money alleged to be due in
respect of the sale of any ale, porter, beer, cider,
or perry which was consumed on the premises
where sold or supplied, or in respect of any
money or goods lent or supplied or of any security
given for, in, or towards the obtaining of any
such ale, porter, beer, cider, or perry."

These statutes contain certain limitations
which the legislature in England has thought
fit to impose on the sale on credit of intoxicat-
ing liquors and having regard to Article 5
of the Order of Council of 1865 and to the fact
that there is nothing in these statutes in any
way limiting the sections quoted or making
them inapplicable to the circumstances which
prevail here, I have no alternative but to apply
them so far as they are applicable, if at all,
to the circumstances of the present case.

The object of the legislature would appear
to be the protection of a certain class of people
from the temptation to immoderate drinking
and, given a similar class of people here to-day
and a similar temptation, there can be no ques-
tion as to the applicability of these statutes or
of the right of these people to this protection.

It must be noted that the law, in a sense,
is not absolutely prohibitory but simply says if
a certain sort of contract is made it will not be
enforceable, in the same way as it does not
allow a contract for an immoral or illegal
consideration to be enforced. It is desirable to
discourage certain practices, and this is done by
the refusal of legal remedies in certain cases.

It is not for me to consider, beyond the
circumstances of the present case, any limita-
tions which have been put upon the Statute of
24, Geo. 2, c. 40, by the Courts, or which it
might be argued should be put upon it by the
actual wording, which certainly not free from
doubt. I may say, however, it is essentially a
poor man's Act. It is known as 'The Tippling
Act', and has for its object the protection of a
certain class of people from immoderate drink-
ing which may be indulged in by the purchase
on credit of intoxicating liquors at public bars.
I am well aware that in this community a great
many contracts are entered into and faithfully
carried out, strictly speaking are not
capable of being legally enforced, and I see no
objection to that, but when a case comes into
Court I can only deal with it according to the
law as it stands.

In this case the defendant admitted the debt,
but stated that he was not in a position to pay
and he did not desire to offer any evidence on

the facts. I am only able, then, to consider
the question on the admissions of the plaintiff
and on the chits which are before me. The
plaintiffs, however, were desirous that I should
on this evidence consider how much of the
claim was legally enforceable. I have examined
the chits and I find that a good many of them
were given for cigars and cigarettes, others, it
appears probable, were given for tiffins or dinners,
and the rest, with two exceptions, do not state
the nature of the refreshments supplied. The
two exceptions mentioned, being two chits for
80 cents each given for drinks connected with
brandy and gin, are clearly within the statutes,
but, as regards the rest of the claim, there is
nothing before me on which I can decide that
it is not enforceable by reason of the statutes.

On these facts there must be judgment for
the plaintiffs for \$94.70 less \$1.60, that is to say,
for \$93.10, and they will be allowed \$3 for the
costs of the summons.—*N. C. Herald*.

THE WAY OUT.

A decision has been rendered on the way to
write a chit.

By a judge well steeped in wisdom and the
law,

And in brief his finding reads that if you leave
it blank you're "It."

When a summons is presented at the door.

Contrary-wise, if you inscribe the nature
of the drinks

Upon the piece of paper's virgin face,

You can owe a thousand dollars (this is where
the bar-keep winks),

And keep the summons servers on the chase.

For, according to His Worship who the finding
handed down,

And whom ten thousand toppers have to
thank,

Neglect to specify may mean in this enlighten-
ed town,

'Twas devilled bones or sandwiches you
drank.

So, impecunious, one and all, of low degree and
high,

At whose signature the bar-boy blandly
blinks,

You'll save a deal of trouble and expense if
when you buy,

A cocktail or a peg, you name the drinks.

[H. M. Ayres in *Shanghai Times*.]

CORRESPONDENCE.

INQUIRY COURTED.

TO THE EDITOR OF THE "DAILY PRESS."

SIR,—The Portuguese staff of the Post
Office has a genuine grievance against those
correspondents who, concealed behind mislead-
ing initials, have been reflecting upon it in the
correspondence columns of your contemporaries.
In the matter of the misreading of the
Nagasaki mail, complained of recently by a
Nagasaki correspondent in your morning con-
temporary, the Portuguese members of the
Postal staff court the fullest official inquiry;
but in the meantime, no proper complaint
having been lodged, they regard public
animadversions of the kind referred to as a
grave injustice.—Yours, &c.

IMPARTIAL.

LAND SALE.

Messrs. Hughes and Hough, auctioneers,
yesterday afternoon sold by public auction a
piece of valuable leasehold property situated in
Ho Oak Wei, No. 17 District, Kowloon. Messrs.
Ewins & Harston had the conveyancing.

The property was described as all that piece
or parcel of ground lying and situate in Ho Oak
Wei, No. 17 District, Kowloon, in the Colony
of Hongkong, registered in the Land Office as
Kowloon Farm Lot No. 7. It contains by
measurement in the whole four acres and is
held from the Crown for the residue of a term
of 999 years granted by a Crown Lease dated
the 8th August, 1865. Annual Crown Rent
\$18.00.

Bidding commenced at \$5,000 and went up
by increases of \$100 and \$200 a time. Those
competing for the property were all Chinese,
with the exception of Mr. Ahmet Ramjahn.
Mr. Lau Sin Han became the purchaser, the
price being \$8,600.

THE VOLUNTEER CONCERT.

The Hongkong Volunteers last evening
presented an exceedingly enjoyable entertain-
ment on their parade ground at the back of the
Cathedral. The little green, illumined by a
profusion of Japanese lanterns, made a gay
picture which was heightened in tone by the
sprinkling of uniforms in the crowd. The band
of the 93rd Mahatma Light Infantry played.

The programme opened with an orchestral
selection. Gunner P. W. Golding, H.K.V.C.,
sang "A song of thanksgiving," a satisfactory
tenorial effort. Mr. Frank Austin rendered
"The Border Ballad," a baritone solo,
and was well received. A wholly charming
item in the first half was Mrs. H. M. Webb's
song, "The Enchantress," which was encored.
Mr. B. Sutherland sang an Irish comic song
and a Scotch encore, in both of which he was
at home. The band then played a selection.

After a ten minutes' interval the orchestra
again struck up. Sergt. W. Terrill, H.K.V.C.,
took to the vocal "war path," harmoniously
telling the audience what is done "When we
fight," and was applauded. Mr. P. L. Miller
played two very pretty violinello solos,
"Chanson Triste," and "La Ciguanaita."
Mr. G. H. Edwards sang Sergeant's setting of
Shakespeare's "Ingratitude" song. Mr.
R. Sutherland gave another comic song, and
Mr. Frank Austin a fine baritone solo, "The
Pipes of Pan." The band "wound up" a
very enjoyable programme.

SUPREME COURT.

Wednesday, 27th July.

IN APPELLATE JURISDICTION.

BEFORE HIS HONOUR SIR W. M. GOODMAN (CHIEF JUSTICE) AND T. SERCOMBE SMITH (PUISE JUDGE.)

LAND COURT CASE.

Mr. M. W. Slade, barrister-at-law (instructed by Mr. J. Scott Harston, of Messrs. Evans and Harston, solicitors), appeared in support of an application to adduce further evidence in the matter of the claim of Tang Tsz U, 54, Holly-wood Road, to land in the New Territory in C. A. Survey District, as against the Attorney-General.

The Chief Justice said he understood that an order had been agreed upon subject to the approval of the Court.

Mr. Slade stated that the Crown had agreed. The Chief Justice said he had gone carefully into the proposed order, which provided that the appellant's affidavit should be filed before 18th August and the respondent's on 1st September, and that the case be set down for hearing on 12th September. As both parties were desirous that this order should be made it seemed to him fair and right that the permission sought should be granted.

BAMBOO POLES ON THE SIDEWALKS.

Hon. Sir Henry S. Berkeley, Attorney-General (instructed by Mr. F. B. L. Bowley Crown Solicitor), appeared in support of an appeal by Wai Chung, appellant, and Hung Hoi, respondent, against the decision of Mr. H. H. J. Gompertz, magistrate, in dismissing a case in which the respondent was charged with carrying a bamboo pole on the pavement. The Attorney-General stated that at the Police Court on 27th May, and 16th June, 1904, an information preferred by Wai Chung, the appellant, under Section 2, sub-section 11, of Ordinance No. 14 of 1845, charging the respondent with unlawfully carrying a bamboo pole on the public footpath at Praya East, such pole being calculated to annoy and incommode passengers thereon, on 17th May, which information was dismissed by Mr. Gompertz. The appellant being dissatisfied with the Magistrate's decision as being erroneous in point of law, applied for a case to be stated under section 99 of the Magistrates Ordinance. Mr. Gompertz, upon the hearing of the information, found as a fact that about 5.45 p.m. on 17th May respondent was walking on the public footway on Praya East near the entrance to Tai Wo Lane, that the respondent was then carrying on his shoulder a large bamboo carrying pole; that it was carried in such a way as to obstruct the footpath and to be calculated to annoy and incommode passengers thereon; that the pole was not being carried by the respondent for the purpose of being housed or for the purpose of being loaded on any cart or carriage on the other side of the footway. The Magistrate further found as a fact that the pole was used by the respondent, a carrying coolie, as a tool or implement of his trade. On the part of the appellant it was contended that the general purpose of the Ordinance was to make provision for the good order and cleanliness of Hongkong, and its dependencies by prohibiting nuisances in public thoroughfares; that among such nuisances was the obstruction of public roads or footpaths in various ways, as by placing merchandise thereon, putting out poles or blinds, riding, driving, or leading horses across the footpath; that in sub-section 11 of section 2 the general words "other thing" were not limited in their meaning by the specific words "barrel, cask or butt" which preceded them, because being read as they should be with the words "calculated to annoy or incommode" which immediately follow them, it was clear that the genus contemplated by the Ordinance consisted of "anything calculated to annoy or incommode," and would therefore include anything whatsoever so calculated, such for instance as a coolie's large hat or an umbrella carried over a man's shoulder in a manner calculated to annoy or incommode passengers, that the exception "for the purpose of housing them or of leading any cart or carriage" should not be held to limit the meaning of the words "other thing calculated to annoy or incommode"; and that a bamboo pole as carried by the respondent on the footpath being a thing calculated to incommode or annoy passengers thereon was an obstruction within the meaning of the Ordinance. The Magistrate however was of opinion that the general word "thing" following the specific words "barrel, cask, or butt," took its meaning from them and must be presumed to be restricted to articles of the same genus. He held therefore that the evidence given before him did not bring the case within the operation of section 2, sub-section 11, of the Ordinance, and he gave his decision accordingly. The question of law arising in the above statement for the opinion of the Appeal Court was whether the term "other thing" as used in this sub-section of the Ordinance could be so construed as to include the bamboo pole carried by the respondent.

Proceeding to his argument the Attorney-General said it was in the first place to be observed that the general words of sub-section 11 of section 2 of Ordinance 1 of 1845 were not limited to the words "or other thing" as the learned Magistrate appeared to think. The general words were "or other thing calculated to annoy or incommode" the passengers upon a public footway. The class of objects, or the genus, against which the sub-section was directed included everything, whatever it might be, which was calculated to annoy or incommode passengers using a footway. The general words "or other thing" calculated to annoy or incommode could not therefore be restricted to things *ejusdem generis* with "barrel, cask, butt." To so construe

the sub-section would in effect be to hold that it was no offence against the sub-section to drag along a footpath a bundle of long bamboo or fir poles, because neither was *ejusdem generis* with either a barrel, cask or a butt. It was however submitted that the genus, the class of objects contemplated by the Ordinance, was not the limited genus within which came barrel, cask or butt, but the wider genus which comprehended everything, including of course barrels, casks and butts, which was calculated to annoy or incommode passengers using the public footway. But even if the words "calculated to annoy or incommode passengers" had been absent from the sub-section, even if the general words had been confined to the words "or other thing," those words would not be restricted in their meaning by the words "barrel, cask or butt," because it was clear from the scope and intention of the Ordinance that those words were not used in the limited order of ideas to which the words "barrel, cask or butt" belong; that was to say, it was clear on a consideration of the whole section that sub-section 11 was not intended to be limited in its scope to such things only as were *ejusdem generis* with barrel, cask and butt, because it would be futile legislation to forbid a barrel to be rolled along a footway but to permit a large bundle, of long poles, for instance, to be drawn along the footway. Without the words "calculated to annoy or incommode passengers," it would still have clearly appeared that the object of the legislation was to prevent passengers using the public footway from being annoyed or incommode by things being carried or rolled upon it. Moreover the use of the word "carries" as well as the word "rolls" indicated that the sub-section had a wider scope than it would have if it were limited to barrels, casks, butts and things *ejusdem generis* therewith, because barrels, casks, butts and such like usually were not carried but rolled. The word "carried" must therefore be taken as referring to other genera than the genus within which barrels, casks and butts are comprised. The sub-section therefore must be construed as prohibiting the rolling upon the public footway of any barrel, cask or butt or the like, and also as prohibiting the carrying on the public footway any other thing calculated to annoy or incommode passengers. A case strongly in point was *Skinner v. Shaw*, where it was held that having regard to the object of section 32 of the Patents Act, 1883, in constraining the reference to "threats" of legal proceedings by "circulars, advertisements or otherwise," the words "or otherwise" were not to be restricted to threats by means of *ejusdem generis* with circulars and advertisements, but were to be regarded as extending the previous words so as absolutely to prohibit any threats whatever of legal proceedings unless specially followed up by an action. Further, the general scope and object of section 3, the intention of which was to prevent nuisances of various kinds in public places, required that the words "or other thing" should not be restricted in meaning by the words preceding. The words should be given the fullest and most extended meaning. A case strongly in point was *R. v. Edmundson*, where Statute 17 of George III, cap. 58, which authorised justices to issue search warrants for stolen goods suspected to be concealed "in any dwelling-house, out-house, yard, garden or other place," was held to include under the last words "other place" a warehouse which was a mile and a half from the dwelling-house. Ordinarily a warehouse would not be considered *ejusdem generis* with a dwelling-house, but in this case it was held to be reasonable, having regard to the preamble to the general object of the statute, to think that the warehouse was within the contemplation of the Legislature as a likely place for concealment. So now it was submitted that a long bamboo pole carried over the shoulder which the Magistrate found as a fact was carried by the respondent in such a way as to obstruct the footpath and to be calculated to annoy and incommode the passengers must, having regard to the object of the section which was to prevent nuisances upon the public footways, be regarded as having been in the contemplation of the Legislature when it forbade by the 11th sub-section the carrying of things calculated to annoy or incommode. A narrower construction would restrict the effect of section 3 of the Ordinance. The paramount object of section 3 was to prevent persons using the footways from being annoyed or incommode. That object should, if the language was susceptible of such a construction, be given effect. Cases in point were mentioned in Maxwell on the "Construction of Statutes," p. 480. The cases *Eastwood v. Miller* (L.R., Q.B., 410), and *Bova v. Fenwick* (L.R., Q.C.P., 339) were in point; also *Shillit v. Thompson* (L.R., Q.B., 12).

The Puisse Judge asked if a Volunteer carrying a rifle would come under this sub-section. The Attorney-General replied that he certainly would. The Puisse Judge asked if his market coolie carrying a leg of mutton would come within the meaning of the sub-section. The Attorney-General said the coolie would, even though it was the very best Australian mutton. The Chief Justice remarked that they would have to find out if it was calculated to annoy. The Puisse Judge asked if his valet—supposing he had one—was carrying his portmanteau along the footpath, would he come within the meaning of the Ordinance. The Attorney-General replied that he certainly would. The Puisse Judge asked the Attorney-General why. The Attorney-General said the coolie would, even though it was the very best Australian mutton. The Chief Justice remarked that they would have to find out if it was calculated to annoy. The Puisse Judge asked if his valet—supposing he had one—was carrying his portmanteau along the footpath, would he come within the meaning of the Ordinance. The Attorney-General replied that he certainly would. The Puisse Judge asked the Attorney-General why. The Attorney-General said the coolie would, even though it was the very best Australian mutton.

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The Attorney-General answered that he did not think olfactory offences came within the section.

The Chief Justice said that if one were walking close to him in the highway it would have the same effect. The Attorney-General asked the Court if a 40 feet spear being carried along the pavement would not be calculated to annoy? Personally he should be extremely incommode.

The Puisse Judge held that the real point was whether it was aimed at in this sub-section.

The Chief Justice was of opinion that it aimed at keeping the pavement free from physical impediments. They must in such cases trust to the common sense of the police and the Magistrate.

The Puisse Judge said everybody admitted that a bamboo pole would annoy and incommode; but he repeated, does it come within this section?

The Attorney-General held that it did. Where two constructions of an Ordinance were possible, he said, it was the duty of the Magistrate to adopt that construction which would promote and not defeat the object of the Ordinance. To strain the meaning of the Act as passed by the Legislature was to defeat the Act.

The Puisse Judge asked whether it was not the Crown that was attempting to strain the language of the Ordinance. He supposed the Attorney-General agreed that a barrel, cask or butt was a thing calculated to annoy or incommode?

The Attorney-General said he most decidedly did, especially if it rolled between one's legs. The Puisse Judge contended that the words "or other thing" would render unnecessary, on that construction, the words "barrel, cask or butt."

The Attorney-General admitted that it could have been made short by simply saying that "anything rolled or carried." The object of the Legislature was not directed to barrels, casks and butts alone, but they were included for the purpose of the Ordinance among the things calculated to annoy or incommode.

The Puisse Judge asked if the sub-section would refer to a dripping umbrella?

The Attorney-General held that it would, if the umbrella was big enough. If it was a doll's umbrella the Magistrate would dismiss the case, but not so if it was a huge umbrella such as he had seen the Chinese use.

The Chief Justice agreed that in such cases a lot had to be left to the discretion of the police.

The Puisse Judge said this was a legal point, and the question was, Should it be left to the discretion of the police? He was in favour of stopping this sort of thing, but had they the power to stop it? This was a very difficult case, and as it had only been brought before him that day he preferred to defer his judgment.

The Chief Justice stated that he was quite prepared to give judgment then, but in deference to his learned brother he would defer his judgment also.

The Court adjourned *sine die*.

POLICE COURT.

Wednesday, 27th July.

BEFORE MR. H. H. J. GOMPERTZ (ACTING POLICE MAGISTRATE).

A HALF HEARTED PROSECUTION.

Alfred Davies charged a foreigner with larceny of a gold watch and chain valued at \$350.

The defendant was described as a merchant residing at the Alexandra Boarding House.

Complainant gave evidence that he met the defendant in the Hongkong Hotel on the night the "Theatre people" went away. He could not say what date it was.

Mr. Gompertz said he was not going to take that sort of thing from the witness. He ordered the man to stand down and refresh his memory.

Complainant said he wished to withdraw the charge.

The private secretary of the complainant gave evidence that the defendant had admitted the complainant's watch in the Hongkong Hotel. The defendant saw them home, and the watch was afterwards found to be missing.

The case was adjourned for further evidence, defendant being allowed bail upon his own recognisance.

In the afternoon the defendant appeared in Court, but there was no complainant.

Mr. Gompertz dismissed the case.

Defendant: I want to take an action against that man for defamation of character and being detained in goal.

Mr. Gompertz advised him to take action through the Supreme Court.

VAGRANTS.

Two Germans were sent to the House of Detention for being vagrants.

THEFT FROM THE DOCKS.

Mr. Turner, head watchman at the Kowloon Docks, charged a coolie with stealing brass fittings. The man was convicted and sentenced to one month's imprisonment and six hours' stocks.

RETURNING FROM BANISHMENT.

A man convicted of returning from banishment was sentenced to 12 months' imprisonment and six hours' stocks.

NO CONVICTION.

A gardener from North Point, who recently caused two Forest Guards to be punished for attempted bribery, and who subsequently had another man punished for committing an assault upon him, was charged with unlawful possession of branches of trees.

The case was dismissed.

CHARGE WITHDRAWN.

The case of two men charged with obtaining \$4,000 by false pretences came up on remand. Mr. John Hastings, solicitor, appearing on behalf of the complainant, asked leave to withdraw the charge.

Mr. H. W. Looker, solicitor, of Messrs. Dracoon, Looker and Deacon, who appeared on behalf of the defence, said he had no objection. The charge was withdrawn.

BEFORE MR. J. H. KEMP (SECOND POLICE MAGISTRATE).

A PRIVATE RICKSHA.

John Harrod, a sailor from the E. D. Sutton was charged with being drunk and incapable; and a ricksha coolie was charged with conveying him in an unlicenced ricksha.

The sailor was fined \$1, and the ricksha coolie \$10.

LARCENY.

A Chinese postman was charged with passing a watch entrusted to him. He was sentenced to six months' hard labour.

A DISHONEST SERVANT.

Mr. Ruttonjee, of the Kowloon Store, charged one of his delivery coolies with stealing a box of chocolates, value \$6. The defendant was sentenced to six weeks' imprisonment and six hours' stocks.

A WARRANT ISSUED.

A woman, out on \$500 bail, charged with buying girls, did not put in an appearance at Court. Her bail was exonerated and a warrant issued for her arrest.

THE HEIGHT OF IMPUDENCE.

A Chinese servant was charged with larceny. He stole \$45 and a money order from his master, went to Canton for a "spree," and then returned. He was sentenced to two months' hard labour.

ASSAULT.

An Indian convicted of assaulting a native policeman was fined \$50 or two months' imprisonment. He was an old offender.

BELGO-AMERICAN RAILROAD ENTERPRISE.

The statement has gone around the newspapers of the country that the recognition by the Department of State of the Canton-Hankow Railway as an American enterprise is calculated to increase American influence in China and is a notice of "hands off" to Russia.

It happens that nothing could be much farther from the truth. There can be no question that, as originally organised and planned, this enterprise was accepted as evidence that American energy and capital would be freely employed in equipping China with the appliances of modern civilisation. The concession was given to Americans on the special ground that it was highly desirable, for the future of China, to enlist in the work of developing the material resources of the empire the aid of a nation which not only had no designs of its own on the territory of China, but which was vitally interested in counteracting the designs of other nations on that territory. Both by the representatives of China and the United States this point was strongly insisted on when the contract was signed with the Brice syndicate in 1898 for the construction of the Canton-Hankow Railroad, and that contract expressly guards the nationality of the enterprise against alienation. When General Parsons and his surveying party went over the route to be traversed by the proposed American railroad, the advent of citizens of the United States in the field of Chinese railroad construction was everywhere the subject of congratulation. Mr. Charles Denby, Jr., who accompanied the party as interpreter, said in a magazine article published in 1899, that he would never forget the enthusiasm with which the people and the officials along the line welcomed American co-operation in Chinese railway construction.

In the concluding paragraph of his very interesting book "An American Engineer in China," General Parsons says that in the work of regeneration in China the influence of the United States "should be, and for many reasons inevitably will be, a preponderating weight." Thus, he added, following the rule that the world's progress has always been from the rising to the setting sun, "after a lapse of five thousand years, the youngest of the great nations is preparing to pass on, or rather to return, this light to the oldest, whence it started on its 'circum-orbitum' journey."

As has already been explained at sufficient length in these columns, the control of the American China Development Company has passed into the hands of a syndicate at the head of which is the King of the Belgians, and the conduct of the first and only work which it has undertaken—the construction of the Canton-Hankow Railway—is supervised not from New York, but from Brussels, the members of the nominally American organisation here being merely agents of those higher in authority on the other side of the Atlantic. It does not greatly matter in whose names the stock may stand on the books of the corporation if its real ownership be elsewhere. In these circumstances it is difficult to see how American influence in China is to be promoted, or Chinese apprehensions as to the extension of Russian influence through railroad ownership are to be allayed, by any declaration on the part of our Government that it still regards the American China Development Company as an American corporation, and that this Government alone has the right to deal with diplomatic questions affecting the interests of the company. In point of fact, we can imagine no more fatal blow to American influence than its covert use for the promotion of ends equally foreign to the avowed policy and aims of this Government and to the interests of our commerce in China. In the magazine article already quoted from, Mr. Denby points out that the Chinese negotiated with Belgians, for the construction of the railroad from Peking to Hankow, because Belgium was supposed to be a small country without designs on China, and hence safer to deal with than aggressive colonial Powers, such as France, for example with whom China was in constant trouble, or her

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Hongkong, 16th July, 1904.

southern border. As a matter of fact, however, the ink was not dry on this contract before an official publication by the Minister of Foreign Affairs at Paris congratulated the French people on the success of French diplomacy, and made the following statement: "The result secured is due to the perseverance of French and Belgian manufacturers, actively seconded by their respective governments, and the representatives in China of France and Belgium." Mr. Denby goes on to show how a contract for this line was first offered in 1896 to an American syndicate, which, having gone to the length of sending a survey party over it, dropped it in the face of Belgian competition. The Belgians, backed by France and Russia, eagerly seized it; terms with them were no object. They wished to get the contract into their hands and cut off competition, feeling sure of being able eventually to modify the contract to suit themselves.

It would seem that the history of the Peking-Hankow concession was about to be repeated in that of the Canton-Hankow. The latter contract, which was secured in face of the persistent opposition of the concessionaires of the Northern road, was described by Mr. Denby as "a simple business matter, having no political background." His view of the enterprise was simply this: "It is intended on the part of China to establish means of communication through three rich and prosperous provinces, while it is the purpose of the Americans interested to obtain a profitable investment and to enter an attractive field of industry." Mr. Denby was quite right in his assumption that the undertaking would be favourably regarded in Washington, and he was quite justified in the assumption that "France and Belgium will be less inclined to interfere with it since our little episode with Spain." But, unfortunately, the enterprise did not prove so tempting to American capital as had been anticipated, and seizing a favourable opportunity, the Belgians accomplished by the simple process of purchasing a controlling interest in the stock of the American China Development Company an apparent right to dispose of the Canton-Hankow concession at their pleasure.

The action of our State Department in regard to the status of the company, which has thus passed into foreign hands, derives new interest from the reported determination of the Chinese Viceroy whose provinces are to be traversed by the railroad to refuse to recognise the validity of the concession in its present hands. Wuchang and Canton appear to have more accurate information on this subject than is obtainable in Washington, and as it happens to be the Chinese authorities who must be the ultimate judge of whether the American concessionaires have lived up to their contract, it is the verdict of the Southern Viceroy that will carry weight at Peking rather than that of our Department of State. Happily, our Government reserved its right to cause its recognition of and assistance to the American China Development Company in case of any change in the organisation or conduct of that corporation which may seem to justify such action. Confronted by the proofs on which the Chinese Government bases its attitude toward the concession, the Department of State is not likely to persist in considering the American China Development Company to be in good faith an American company.—*New York Journal of Commerce*.

SANITARY BOARD.

For the Sanitary Board meeting to-day (Thursday) the orders of the day are as follows:—

1. Application from Mr. Wong A Chi, Contractor, requesting that his name may be placed on the list of authorised contractors.
2. Application for permission to erect 24 water closets and 7 urinals at new building for Hongkong Hotel Co., Reclamation Marine Lot No. 7.
3. Application for permission to erect 6 water closets and 3 urinals at No. 2 Pedder Street.
4. Further correspondence re the application for a modification of the requirements of Section 153 of the Public Health and Buildings Ordinance, 1903, in respect of a room in the servants' quarters of No. 15, Queen's Road Central.
5. Applications for exemption from the requirements of Section 175 of the Public Health and Buildings Ordinance, 1903, in respect of Nos. 3, 5, 7 and 9, Cross Street.
6. Application for a modification of the requirements of Section 180 of the Public Health and Buildings Ordinance, 1903, in respect of Nos. 4, 6 and 8, Straight Street, Sham Shui Po.
7. Application for exemption from complying with the requirements of Section 154 of the Public Health and Buildings Ordinance, 1903, in respect of the top floor of No. 209, Queen's Road East.
8. Application for a modification of the requirements of Section 180 Sub-section (b) of the Public Health and Buildings Ordinance, 1903, in respect of the house on Inland Lot No. 122, facing Peel Street.
9. Application for No. 137, Station Street, Mong Kok, to be registered as a bake-house.
10. Application for No. 201, Station Street, Yau-mai, to be registered as a public laundry.
11. Report of the Sanitary Surveyor for the second quarter of 1904.
12. Mortality statistics for the weeks ending 25th June and 2nd, 9th and 16th July, 1904.
13. Lime-washing return for the fortnight ending 19th July, 1904.
14. Rat return for the fortnight ending 25th July, 1904.



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Hongkong 18th, February 1904

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Hongkong, 27th July, 1904. [1409]

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L. NAKAGAKI,
Manager.

Hongkong, 23rd July, 1904. [1708]

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THE NIPPON YUSEN KAISHA are prepared, during suspension of their Trans-Pacific Service and until further notice, to book cargo and issue Bills of Lading to SEATTLE, WASH., VICTORIA, B.C., and PACIFIC COAST PORTS, also to OVERLAND POINTS in the UNITED STATES and CANADA in connection with the GREAT NORTHERN RAILWAY from SEATTLE, as hitherto by the steamers of the NORTHERN PACIFIC S.S. CO. BOSTON STEAMSHIP and TOWBOAT CO.'S, OCEAN S.S. CO. and CHINA MUTUAL S.S. CO.

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A. S. MIHARA,
Manager.

Hongkong, 20th May, 1904. [1290]

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Hongkong, 19th July, 1904. [1754]

THE CHINA STATION.

VENTILATION OF SHIPS, ETC.

This is taken from the *Naval and Military Record* to hand by the last mail:—

Hongkong, 10th May.

During the stay of the squadron at Long Harbour, Mrs. Bay, the *Vengeance*, *Albion*, *Cressy*, *Centurion*, *Sirius*, *Ocean*, and *Amphitrite* completed their prize-fighting. This kept the carpenters' staffs of ships exceedingly busy repairing targets and on one occasion, as the Commander-in-Chief wished the firing not to be interrupted through lack of targets, carpenter ratings of the squadron were employed day and night repairing them. Mr. Elstone, carpenter of the *Gloria*, was in charge of the repairs, which were very efficiently carried out under primitive circumstances, during inclement weather. This, however, was not overlooked by the Commander-in-Chief, who, with characteristic consideration and foresight, signalled that an extra spirit ration would be issued to those employed on night repairs. This thoughtfulness was much appreciated.

The *Sirius* was inspected by Rear-Admiral Curzon Howe, and the *Vengeance* by the Commander-in-Chief. Exceedingly smart, workmanlike, and neat, was the appearance of the *Vengeance*, and it was pleasing to note that, in these days of "smart ship craze," when the comfort of men is too often seriously handicapped during the inspection, many evidences were forthcoming of the great skill, care, and trouble which her executive officer, Commander Guy R. Gaunt, R.N., had taken to combine efficiency with comfort in his details of organisation, which speaks well for his future career as a supplementary officer. During the inspection, which lasted two days, the Commander-in-Chief paid great attention to internal details, especially ventilation. This is exactly as it should be, for Sir Gerard Noel evidently recognises that the health of a warship's crew primarily depends on efficient ventilation. The admiral may rest assured that his exertions in this direction will be heartily endorsed by all under his command, especially those who have long spells of duty in semi-confined places where fresh air is at a premium.

13th May.

After a busy fortnight in Mrs. Bay, the squadron, consisting of *Gloria* (flag), *Albion*, *Centurion*, *Amphitrite*, *Ocean*, and *Vengeance*, left on the 10th inst., and proceeded to sea, spending the afternoon at manoeuvres. In the evening ships were exercised at general quarters, after which the engines were stopped, lifeboats lowered, and the signal, "Hands to bathe" made, in response to which appeared a multitude of floating humanity around each ship. Having rehearsed lifeboats, the squadron continued its journey, and at 10 p.m. "man and arm ship" stations were exercised. At midnight fog appeared, but with the assistance of fog buoys and guns station was steadily preserved, and when it cleared on the following morning their formation had not been interfered with, steady progress having been made towards our destination. Amoy, at which place we anchored at 5 p.m. The Acting British Consul paid an official visit to the Commander-in-Chief, and was saluted with seven guns on his departure.

On Thursday afternoon, our stay being short here, leave was given to chief petty officers, and in the evening a long-looked-for race between 12-cared cutters, manned by crews of marines from the *Albion* and *Ocean*, took place. The course was three miles, and after a keenly-contested race, the *Ocean* won by a considerable lead. This race created some sensation, from the fact that a deal of money was staked on it. Rumour has it that among the sportsmen of the squadron 3,500 dollars were invested on the event; certain it is that the sum was considerable. The victory for the *Ocean*, followed by a concert, held on board the same evening, formed a fitting event for the first anniversary of her present commission.

Unfortunately the results of our recent prize-firing have not proved the success which these days of "dotters," aiming and towing target instruction and other technical and practical devices for training would seem to warrant. On the part of the officers concerned, no time, care, or trouble has been spared, whilst the captains of guns appear to have taken a keen interest in putting the valuable instruction imparted to them to practical use. Although the results may not perhaps reach the expectation of enthusiasts in heavy gun shooting, satisfaction is at least found in the fact that the firing has been carried out in every detail, strictly in accordance with instructions. Spotting is now discontinued, and there can be no doubt that, to some extent, this may account for the final results, which were as follows:—

STRENGTH: HOW TO OBTAIN IT.

To build up a strong frame, and to maintain it at its best, is a duty which everyone owes to him or herself. Of course frail people cannot expect to perform feats of strength such as are done now and again to astonish the public; but the puniest can, never-the-less, greatly increase the amount of strength they possess, by taking judicious exercise and proper nourishment.

Food and drink play such important parts, and so much help forward or retard the process of becoming strong, that they should be chosen with the most extreme caution. Van Houten's Cocoa is a beverage that everyone should take who wishes to become strong; or who, being strong, wishes to remain so.

It contains just the particular nourishment required for the making of bones and muscles, and being easily digestible, the greater portion of that nourishment is taken up by the blood.

Van Houten's Cocoa is easy to make ready, boiling water alone being necessary for that purpose. It is cheap, because a little goes a long way, and it is delicious in flavour. It is suitable for use morning, noon or night, and "Once used always used."—[Adv't.]

"VENGEANCE."																	
	Total rounds.	Total hits.															
6in. guns...	137	87															
12in. guns...	41	11															
Best 6in. gun...	14	13															
Best 12in. gun...	20	7															
One of the 6in. guns only got off 3 rounds altogether.																	
"OCEAN."																	
	Total rounds.	Total hits.															
6in. guns...	139	68															
12in. guns...	46	15															
Best 6in. gun...	13	12															
Best 12in. gun...	8	5															
<p>This compares unfavourably with the <i>Ocean's</i> shooting last year, when she had only been six weeks in commission. On that occasion, the figures were:—</p> <table> <tr> <th></th> <th>Total rounds.</th> <th>Total hits.</th> </tr> <tr> <td>6in. guns...</td> <td>107</td> <td>73</td> </tr> <tr> <td>12in. guns...</td> <td>28</td> <td>18²</td> </tr> <tr> <td>Best 6in. gun...</td> <td>12</td> <td>11</td> </tr> <tr> <td>Best 12in. gun...</td> <td>8</td> <td>6</td> </tr> </table> <p>²6 minutes less time.</p>				Total rounds.	Total hits.	6in. guns...	107	73	12in. guns...	28	18 ²	Best 6in. gun...	12	11	Best 12in. gun...	8	6
	Total rounds.	Total hits.															
6in. guns...	107	73															
12in. guns...	28	18 ²															
Best 6in. gun...	12	11															
Best 12in. gun...	8	6															
"CENTURION."																	
	Total rounds.	Total hits.															
10in. guns...	32	3															
6in. guns...	98	29															
Best 10in. gun...	4	1															
Best 6in. gun...	12	6															

This is very bad indeed, and considering the recent controversies about her sighting arrangements, it would appear to confirm the opinion of those who are inclined to doubt their accuracy. The 9.1 per cent. made with the 10in. gun is sure to call forth comment when the Admiralty issue their annual return.

On Friday, 13th, at 3 a.m., the *Sirius* arrived from Hongkong with mails and supernumeraries for the squadron. On the trip up she ran a full-power trial, and made the passage of 240 miles in 19 hours. She returns to Hongkong to-day with mails, when the squadron leaves, after which she will relieve the *Talbot* at Singapore as senior naval officer.

The Ventilation Committee, ordered by the Commander-in-Chief to examine the ventilating arrangements in ships, have been very busy, and a useful purpose is served by their exertions to solve an important but difficult problem.

13th May.

The squadron is now leaving for Woosung, where we are to be joined by the *Leviathan*, *Humber*, and *Exeter*. The two latter are to escort two destroyers each from Hongkong, and an imposing squadron representative of the China fleet will then be with the flag.

To ensure the ships being ready for any emergency the Admiral made the signal on 9th May that all ships were to put forward demands at once for two quarters ammunition in excess of the ship's outfit. Casually few outsiders realise what this means, as although it has been customary for some time to take practice projectiles in excess of the complement, the cartridges for their propulsion have been expended from the ship's outfit, now each ship will have her magazines stocked to their very utmost with excess ammunition, so that after an absence of over six months from a naval arsenal, the ships' outfit of ammunition and projectiles will be complete. The extra stores are to be sent to Weihaiwei, where the fleet will probably arrive at the end of May. This is another of the many marked steps for efficiency which Sir Gerard Noel has recently made.

RUSSIAN CENSORSHIP.

In spite of official statements to the effect that the censorship in many respects was to be abolished during the present war, it was never more strict, and never more annoying, says a correspondent to the *Times*. It must be borne in mind that when the Russian Government, at the very beginning of the war, declared their magnanimous intention of taking the people of Russia and the world in general more into their official confidences in regard to current events than they had hitherto done, those circles were not in the despondent mood they are in at the present moment. Four months ago the Yalu had not been crossed by the Japanese, there had been no Kin-chau and no Wa-fang-shan, and people here would never have believed it possible that June running out would still find Kuropatkin marking time without a single success of any magnitude to set against a series of Japanese victories.

As an example of the strictness of the censorship on the foreign Press, nothing in the nature of foreign Press comment on the conduct of the war or of criticism on the mistakes of Russian commanders in the field is allowed to pass the censor's hand anywhere within the Russian Empire without resort to the blacking-out. An especial eye is kept on the *Times*. Plain truths in regard to such matters as the "riots" at Kishineff, the humanity of Russian despotism in Finland, the paternal treatment of non-Orthodox Churches within the Russian pale like the Armenian Church in the Caucasus were never keenly relished by Russian bureaucratic departments. They were, of course, "untrue" or "exaggerated." Moreover they were matters which were no concern of the outside world. War news being mainly bad news, and comment on that news mainly critical, it is

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"blacked out" in the *Times* with increasing frequency. Not content with using the brush and pigment, the Russian censor even at times resorts to wholesale excision. He does not stop at cutting out a couple of columns, but now and again "administratively" suppresses a page or two. A gentleman residing in St. Petersburg informs me that he received yesterday the *Times* of Saturday, June 18, minus the whole of pages 7 and 8, while of the three leading articles published in the *Times* of Friday, the 17th inst., and apart from other "blacked-out" portions, one and a half on page 9 was obliterated.

The only effect produced is, with Russians as with others, to arouse increased curiosity in regard to the contents of "blacked-out" articles, which they are shrewd enough to grasp must especially concern their own country. The contents of the *Times* are fairly well known to Russians of the better classes in all the larger centres of the Russian Empire, and the endeavours of the educated public to secure a perusal of its columns are only stimulated by the "administrative" measures directed against it.

SHIPPING NOTES.

WEATHER AT SEA.
Moderate to light monsoon and pleasant weather prevails in all directions.

The *Yacata Maru*, belonging to the Nippon Yusen Kaisha, brought a valuable cargo of general merchandise from Japan to this port. The *Yacata* arrived from Miji yesterday with 4,500 tons of coal for Messrs. Bradley & Co.

A NEW LINE TO THE FAR EAST.
Messrs. Howard Houlder, Rowat & Co., Ltd., of New York, have recently announced to the maritime community in that city that they have concluded arrangements whereby the well-known Prince Line will join them in their line to the Far East. The *American Spirit* and *Shipping*, commenting on the announcement, says:—The firm of Messrs. Howard Houlder, Rowat & Co. are most widely and favourably known in the shipping business. In a recent issue of this paper it was noted that Mr. Howard Houlder made a speech on the occasion of a shipping banquet in London which was quoted by all the journals of maritime interest on account of its pertinent and lucid allusions to conditions in the ocean business. The firm has, for the past eighteen months, been running a line of ships from New York to Singapore, Manila, Shanghai, and similar ports in the Far East, in opposition to the other lines in that trade, and the arrangement now concluded with the Prince Line will, without doubt, go far to strengthen their position.

The line new steamers which the Prince Line has lately added to its fleet must prove a valuable addition to the tonnage in the trade. The service will now maintain a monthly schedule of sailings, with more frequent departures should the necessities of business demand it, as, with the inclusion of the Prince Line, all arrangements are perfected for supplying any demand. The ships will all be loaded jointly by Messrs. Howard Houlder, Rowat & Co., Ltd., and the John C. Seager Co. TYPHOON RECORDING.

The Rev. Jose Aguirre, S.J., the well-known and popular director of the Philippine Weather Bureau, has recently invented a new instrument for the more intelligent study and recording of cyclones and typhoons. The name of the new instrument is the barocyclometer. It is a combination of a barometer and of a novel contrivance which Father Aguirre has named the cyclometer. As the instrument is actually constructed it also comprises a thermometer, showing the temperature in both Fahrenheit and Centigrade. Although this additional augments the convenience of the apparatus it is none of its essential parts. The instrument is already being made use of in Great Britain and on the Continent.

"KOREA'S" LAST VOYAGE.
On her arrival at Fusan on the last day of June the Korean ship *Yongun* which was wrecked at over half a million dollars Mexican. After leaving Hongkong the *Korea* was detained in quarantine at Kobe for eleven days on account of an alleged case of plague among the Chinese steerage passengers. The man was, however, afflicted with nothing more contagious than pneumonia, according to Captain Seabury, but the Japanese having decided that it was the plague the *Korea* had to remain in quarantine. During the long wait there, the passengers made the best of the situation, and were made so comfortable by Captain Seabury, Chief Officer Lewis, Purser Allen, Surgeon Decker, and Chief Steward Ashman that no complaints resulted. On the other hand, the passengers presented an illuminated address to Captain Seabury, the artistic decorations having been made by the Comte de Fersen, who was a passenger from Hongkong to Yokohama. After leaving Japan the *Korea* gained a day on the homeward run. She was to sail again for the Orient on 9th inst.

STEAMER MOVEMENTS.
The C.P.R. steamer *Empress of India* left Vancouver on Monday, the 25th July, p.m., for Hongkong via the usual route of call. The *Glen Line* steamer *Glenloch*, from London, &c., left Singapore this morning, and may be expected here on Monday, the 1st August.

The Indo-China steamer *Laiyang*, from Calcutta and the Straits, left Singapore for this port on the 26th July, at 6 p.m.

The E. & A. steamer *Empire* will leave for Kobe on Saturday, the 30th July, at daylight.

The H.A.L. steamer *Scandinavia*, bound for China and Japan, left Suez on the 26th July.

The P.M. steamer *China*, with mails, &c., which left hence June 28th for San Francisco via Amoy, &c., arrived at her destination on the 25th July.

The J.C.J. Lin steamer *Tinahi* left Macassar for this port on the 26th July, and may be expected here on the 3rd August.

The Boston Steamship Co.'s steamer *Trenont* arrived at Seattle on the 26th July.

The steamer *Sagami* arrived at Manila on the 26th July.

Best for the Skin and Complexion.

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CARBOLIC
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Hongkong, 28th April, 1904. [112]

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Hongkong, 19th March, 1904. [78]

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LOCAL NOTICE TO MARINERS.
No. 66.
Additional Light at Whampoa Barrier.
NOTICE IS HEREBY GIVEN that on or about the 21st instant, a Spar beacon surmounted by a disc and showing at night a red light (unclassified) will be placed on the Northern edge of the channel immediately below the s.e. corner passage through the Whampoa Barrier.

J. HOWELL MAY,
Harbour Master.

Approved,
R. DE LUCA,
Acting Commissioner of Customs.
Custom House,
Canton, 20th July, 1904. [1788]

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Wm. FARLANE, Manager.
HONG KONG, 19th November, 1901. [157]

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